

**U.S. District Court
Middle District of Florida (Jacksonville)
CIVIL DOCKET FOR CASE #: 3:18-cv-01078-TJC-JRK**

Smart Pharmacy, Inc. et al v. Defense Health Agency
Assigned to: Judge Timothy J. Corrigan
Referred to: Magistrate Judge James R. Klindt
Cause: 05:0552 Freedom of Information Act

Date Filed: 09/07/2018
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

Smart Pharmacy, Inc.

represented by **Brian E. Dickerson**
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2390 Tamiami Trail N., Ste 100
Naples, FL 34103
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

SP2, LLC

represented by **Brian E. Dickerson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William C. Scrogins

represented by **Brian E. Dickerson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Gregory H. Balotin

represented by **Brian E. Dickerson**
(See above for address)
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V.

Defendant

Defense Health Agency

represented by **Ronnie S. Carter**
US Attorney's Office – FLM
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300 N Hogan St
Jacksonville, FL 32202
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|---|
| 09/07/2018 | <u>1</u> | COMPLAINT for Declaratory and Injunctive Relief against Defense Health Agency (filing fee \$400; receipt number JAX028933) filed by all Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Civil Cover Sheet)(JSG) (Entered: 09/07/2018) |

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| 09/07/2018 | <u>2</u> | SUMMONS issued as to Defense Health Agency. (JSG) (Entered: 09/07/2018) |
| 09/27/2018 | <u>3</u> | RETURN of service executed on 09/20/2018 by Smart Pharmacy, Inc. as to Defense Health Agency. (Calamunci, Anthony) (Entered: 09/27/2018) |
| 09/27/2018 | <u>4</u> | RETURN of service executed on 09/17/2018 by Smart Pharmacy, Inc. as to Defense Health Agency. (Calamunci, Anthony) (Entered: 09/27/2018) |
| 09/27/2018 | <u>5</u> | RETURN of service executed on 09/17/2018 by Smart Pharmacy, Inc. as to Defense Health Agency. (Calamunci, Anthony) (Entered: 09/27/2018) |
| 10/17/2018 | <u>6</u> | ANSWER to <u>1</u> Complaint and Affirmative Defenses by Defense Health Agency.(Carter, Ronnie) (Entered: 10/17/2018) |
| 10/26/2018 | <u>7</u> | ORDER directing the parties to confer and file a joint notice advising the Court how they wish to proceed by 11/13/18. Signed by Judge Timothy J. Corrigan on 10/26/2018. (MD) (Entered: 10/26/2018) |
| 11/13/2018 | <u>8</u> | JOINT NOTICE re <u>7</u> ORDER by Gregory H. Balotin, SP2, LLC, William C. Scrogins, Smart Pharmacy, Inc. (Dickerson, Brian). Modified on 11/13/2018 to edit text and create docket entry relationship (JSG). (Entered: 11/13/2018) |
| 11/20/2018 | <u>9</u> | NOTICE of hearing: Telephone Status Conference set for 12/6/2018 at 10:00 AM before Judge Timothy J. Corrigan. See Notice for call in information.(MD) (Entered: 11/20/2018) |
| 12/06/2018 | <u>10</u> | MINUTE ENTRY. Proceedings held before Judge Timothy J. Corrigan: Telephone Status Hearing held on 12/6/2018. Court Reporter: Cornerstone. (MD) (Entered: 12/06/2018) |
| 12/12/2018 | <u>11</u> | TRANSCRIPT of telephonic conference held on 12/6/2018 before Judge Timothy J. Corrigan. Court Reporter/Transcriber Cornerstone/Georgeanne Rodriguez, Telephone number (904) 647-4723. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or purchased through the Court Reporter.. Redaction Request due 1/2/2019, Redacted Transcript Deadline set for 1/14/2019, Release of Transcript Restriction set for 3/12/2019. (JSG) (Entered: 12/12/2018) |
| 12/12/2018 | <u>12</u> | NOTICE to counsel of filing of OFFICIAL TRANSCRIPT. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Any party needing a copy of the transcript to review for redaction purposes may purchase a copy from the court reporter or view the document at the clerk's office public terminal. Court Reporter: Cornerstone. (JSG) (Entered: 12/12/2018) |
| 12/12/2018 | <u>13</u> | ORDER setting schedule: parties to try to resolve requests by 1/9/2018; absent full resolution, government's motion for summary judgment and Vaughn Index due by 2/8/2019; plaintiffs' response due by 3/8/2019. Signed by Judge Timothy J. Corrigan on 12/12/2018. (SRW) (Entered: 12/12/2018) |
| 01/08/2019 | <u>14</u> | MOTION to extend time to <i>Meet Deadlines in Court's Order Setting Schedule [Doc 13]</i> by Defense Health Agency. (Carter, Ronnie) Motions referred to Magistrate Judge James R. Klindt. (Entered: 01/08/2019) |
| 01/09/2019 | <u>15</u> | ENDORSED ORDER granting <u>14</u> Motion for enlargement of deadlines: the parties shall confer by 2/8/2019; defendant shall file its dispositive motion by 3/8/2019; plaintiffs shall respond by 4/8/2019. Signed by Judge Timothy J. Corrigan on 1/9/2019. (SRW) (Entered: 01/09/2019) |
| 02/08/2019 | <u>16</u> | JOINT NOTICE and MOTION for extension of dispositive motion deadlines by Smart Pharmacy, Inc. (Dickerson, Brian). Modified on 2/11/2019 to edit event and text (JSG). (Entered: 02/08/2019) |
| 02/20/2019 | <u>17</u> | ENDORSED ORDER re: <u>16</u> Joint Notice, extending deadlines as follows: defendant shall file its dispositive motion by 3/22/2019; plaintiffs shall respond by 4/22/2019. Signed by Judge Timothy J. Corrigan on 2/20/2019. (SRW) (Entered: 02/20/2019) |

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| 02/27/2019 | <u>18</u> | JOINT NOTICE Regarding Parties' Continuing Effort to Resolve Matter by Defense Health Agency (Carter, Ronnie). Modified on 2/27/2019 to edit text (JSG). (Entered: 02/27/2019) |
| 03/05/2019 | 19 | ENDORSED ORDER re: <u>18</u> , extending deadlines as follows: parties to provide future update by 3/20/19; dispositive motions due by 4/29/19; responses due by 5/29/19. Signed by Judge Timothy J. Corrigan on 3/5/2019. (MD) (Entered: 03/05/2019) |
| 03/20/2019 | <u>20</u> | Joint MOTION to extend time to May 20, 2019 <i>to report to court on resolution or propose new due dates</i> by All Plaintiffs. (Dickerson, Brian) Motions referred to Magistrate Judge James R. Klindt. (Entered: 03/20/2019) |
| 03/21/2019 | 21 | ENDORSED ORDER granting <u>20</u> Motion to extend time: the previously entered deadlines are vacated; no later than 5/22/2019, the parties shall file a report on the resolution of this matter or propose dates for filing dispositive motions. Signed by Judge Timothy J. Corrigan on 3/21/2019.(SRW) (Entered: 03/21/2019) |